

2/3

WPTF - In-Stream Flow Subcommittee

Kirk Nelson - AB - Conservation \textcircled{D} .

46-715(4)(c)

DK - Will understand effects of conservation - is in law.

Q = what to do about it.

AB - Discussion of policies / trade-offs = OK. Probe
= decision of data. Don't have it yet - so
no decision.

AB Agenda

CS - LB 1225 / 1226

Work out + get to WPTF - but now in legs.

1226 deals w/ I-5 flow - detracts from
willingness - desire to work together.

Hearing = 2/9.

Hope all would say "wait - too early to
do legislatively - trying to work thru."

if don't - focus shifts to bill.

Disappointed to see bill in legislature.

Still want to go thru discussions - would
rather cooperate than fight bill.,,

RB - Senator introd @ req. of NARO b/c NARs over

last 1 1/2 yrs. concern re: I-5 flow
impacting design of F/A + driving need
to pre-study regulate GW.

CS - But NARs working on this - didn't occur.
Know?

RB - Don't have rule chgs. Arguing work in legis.

has to start w/o guar. rule chg.
Don't know. So need to do.

CS - Undercuts process. Conflicted.

KN - Don't testify?

KB - Same will.

KN - mention this group?

KB - Don't know.

CS - Not walking out - need to work collaboratively.
to do - need to recommend to TF.

Say "this bill - but better way"

KB - TF gave Dept. resp. re: rules -

CS - The I'm mislead. TF Subcom?

KN - Dangers of mention group - they'll say -
"solve it" if don't mention -
they'll try to solve it. Legit. risk one
way or another.

KB - Ask me @ end of day. If wasting time -
Q to mention.

AB - Chad concern re: bill undermining
effort. Asking if NRS willing to work
on issue.

CS - Correct. But if pursue legis anyway -
waste of time.

AB - Suggest continue at least for today to
try to do business.

Bill intro'd - don't know fate.

If need to send language further -

part of continuing effort of TF - may
need to revisit to improve

RB- Preferred method is as spelled out in legis. -
but if can get corrected by Dec. -
"next cut" @ basin - NRDs need to
consider.

BB- Void in legis. - ?
Purphised Creek. - I-S flow.

RB- "Protect"

KN- Just 2 stress of I-S flow.

AB- See what can get done.

Q heard re: language.

Will go forward to hearing.

DK/BB- Issue

AB- may be other chgs. to rule as well -
clarify rather than chg. methodology.
No guarantee of rule @ end as proposed.

Agenda 1 - Review of flow chart

Overton - average exceedance -

CPNRD = 1st Permit

G+P = Supp. Permit.

Looked @ flow register for date - looked at
total period - looked ~~at~~ for each
day at ~~total~~ % exceeded.

KN - Came to 85% speedup?

AB - No. Or 10% - about 57% of Oct 1
day in record - would not have
start off juniors. <GI page>

RB - Doesn't say it could had diverted -
just that could have been diverted.

KN - Had to grasp.

AB - On these days - $\frac{x\%}{}$ of the, jr.
not turned off

BB - Not flow frequency analysis.

AB - GI - Chart re: Ann. % of the
I-S Flow net @ GI + downstream.
Not telling 85% speedup level -
just administrative.
Brings speedup flow exhibits for
leaving.

BB - Tells us?

AB - # days jr. would / would not have
been affected.

BB - 1984 - regulated 18% of the.

AB - Roughly.

DK- ① Also show wet/dry cycles + effect.

② 2003 I-S flows met 15% of tie.

Regret in legis?

AB- Cuy - depends on flow period

Could't get ~~any~~ unless flows there
20% of tie.

DK- Flow of 500 ties 20% of tie requested.

AB- Legis didn't say tie period.

51-55 - CNRP.

53-80 - GAP

51-96 @ overton

Makes difference. One of things looking @
a rule.

Looking @ 20 yr. period. If use diff.
period - diff #.

Go back to 1940 - see what

would happen @ current level
of devel. - adjust flow record -
to reflect current development.

Raises Q - what would give
more accurate assessment of what
was going on.

1st yr. - decides to go 420 yrs.

Reassessing. Thoughts?

BB- meteorological - usually > 20 yrs.

30 yrs. or 50 yrs. Over 20

now request hydro. cycles?

AB - Thought 20 OK for Platte
30-50

If look @ climatic record for basin.
I agree if you
no clear cut answer.
Balance level w/ length of level.
Struggle - no easy answer.

Larry H - Hydro. analysis started in
172 -

AB - Re: record,

Covers = wells built in after '72.

LH - Not talking wells.

AB - Wells '72 a cause depletion or
need to take account of in
applying rule

Longer period of record + calc.
depletions to wells

BUT - if use Jones - ~~at~~
overstates - so wouldn't be
comfortable.

use shorter record + most occurred
3/4 '84 - '85 - more realistic
record of what happened.

LH - important.

AB - interested in thoughts - looking @ again.

AB - Other data ?

BB - 2000 flow freq. for I-S re. or 85%?
That's Q.

KN - Data re: what does to exist
I-S Flow.

Calcs. re: effects

No idea what staff would record or
what Comm would do.

Negotiable? Could tell committee.
You picked 85% - 50%??

DK - Q??

50% is ↑ from 2000.

LH - My error (could be).

KN - needs to be fine-tuned.

BB - Policy (I)'s

- 1) How I-S Flow fx. on "A" date?
- 2) How I-S Flow fx. on day-to-day
admin?

DK - Focus on #2 - not #1.

BB - AB proposal is re: #1.

DK - misses mark.

AB - Have discussed re: #2.

Alternatives to how done now: CS

- AB ~~proposed~~ proposal - instead of
pressing always a call - "shape" the call
(e.g. Elwood).

E.g. if Whoppers already passed thru -
need not administer... Not BU of water.

Have G+P work of biologists.

drivings - entitled to divert 470 -
boxed on BU..

BB - Decide?

CS - Goal to get I-5 flow to look
like more natural hydrograph. Takes
time to understand.

BB - Would like summary of discussion -
& where we are & what open for
discussion

1) Principles that'd hold sense:

A) Admin. to frequency of occurrence

② the rate granted.

B) Slow priority system - some
level of effort that as Sr.
goes away - jr. bears more
load. Not sure right.

Discuss principles & roll into discussion.

AB - Major cly. to admin of water rts. in
state.

AB - World chg. admin. across bd.

BB - If species not there - BU not net + take into acct.

Get principles on table.

DK - Some principles - some chg. existing laws

AB - Chg. In S flow would only impact I-S flow.

Your idea affects every water it

DK - Not in group - need SW into folds. Need to understand what doing.

AB - Focus = I-S Flow

RN - DNR administers I-S Flow. Flex.

would be greater - but policy of day on (I)

Now - don't have to worry about it.

Danger - - but willing to look at

Cliff Jr - - thought we granted I-S flows -

discussions of levels @ gages.

Thought based on levels then

20% of tra. Arctic achieved

20% of tra.

DK - No - there was greater - can't predict always there.

CJ - Proceed thru this. DNR admin. Jr

ns. To maintain flows. Q - where
admin. to get more water.

AB - Never did that.

CJ - Other (D) - how that administering
more liberal - only Jr. not
holders impacted

But not when use as basis for F/A -
impacts a lot of other people.

DK - ?

CJ - Admin. of Jr. not determines of F/A

AB - not Jr. = irrig. - but of industry -
look @ test for industry.

DK - Test e.g. Was irrig.

AB - Rn

BB - Am. of this admin. NOT in rule.

Admin. may heed Jr. from meeting
65/85 - could drive.

CJ - So if admin. for F/S flows

DK - if admin. @ greater frequency -
then % greater - impacts F/A.

AB - DK - Its to change cycle.

AB

Also gets to key issue. Potential exists
users so ability to obtain water not
eroded by ↑ use.

AB

At current time - ^{provision} vol. of supply + use
no if ↑ uses - will erode ability
of current users to use for Res. purp.

AB - Rule by proposed tries to address situation where Jr. is not met 65% cut in July - Aug. - do another step - if granted in '92 what could folks have expected? If 55% - look @ if could still get 55%.

CJ: Also I-5 flows.

AB: Correct - if Jr. is - (I-5's NOT Jr.)

LH: Priority date?

AB: Yes

RB: 2 Problems -

1)

2) Dept. position = req'd to grant
Sw. to even the freq. of
occurrence beyond P/A 20.

AB - Could they start

RB: If granted @ 20 or 30 - ought to be what look at in rule.

Need to stop grants @ 20-30.

AB: Fine to discuss - different discussion. Don't want rise to red out notices.

LC - ~~Short cover~~ Short cover.

RC - ~~SW~~ ^{SW} ~~grated~~ ^{grated} in area of
12+ CIR - may put us over.

AB - Suggest another nty. re: rule.
Commitment to do something so
we all agree to this piece.
Bigger \odot 's re: rule take longer.

Chair talks to TF re: covered
re: 1225 + 1226.
Correct

AB to core 4 e.g.'s.

AB - Pub. div.

RB - Is in pub. art.

AB - w/ rule chg. - wouldn't throw whole
basis in. Agree - w/ rule chg it
works

RB - Do / Brian suggestions?

AB - Language of rule chg.

LT - Q re: "sufficient # of days"
limited by what can prep for stream?

AB - Assume could divert

BB - Q - Re. if have a point .1 cfs +
prep = 1 cfs - state law allows
if over wh. couldn't prep
1 cfs. 2 days - could go over
rate for two days - but need
to shut off other S.

AB - Assume if needed - diverted. (if
not shut off)

CJ - Chg. what doing?

AB - No - just clarified. Chg. in B.
Ties back to what was there
when indiv. decides to make

Butch - Pollin average?
Q = could they still get?

AB - if could've got 50% - look
& see if can still get 50%.

AB - Schedule mtg. to look @ rule.
Agree to take meeting to TF
re: IS flow re: 1225 & 1226.

CS - Only could reword need more time.

BB - TF resol. to tell legs to
not move ICS flow past
them legs.

Beth - conflicts w/

RB - Rule - no agreement.

DK - No eng.'s -

How will rule impact

AB - how you work.

Don't know what'll happen in Dec. -

now - no SW rts less than

65%

BB - how - are you hiatus?

CJ - How apply to 1-5 floor nt.

BB - Only apply to irrig. - N/A to 2-5 floor.
D to do 4 admin.

CJ - Cannot go irrig. etc. under this -

AB - Sept - look @ days

I-5 = control nt. - of those Jr.
its all irrig. - give last 20

DK -
yes - has after shut off? Has
after could divert? Could the

NO - have net 650? If yes - F/A.

If why net 550 of the - go

DK -
lead to when got nt. - stayed
more? If NO - not F/A.

BB - How analyze Sept + Oct. re: F/A ??

AB - Pair (BB), look @ I-5 floor nt -

BB - Prob of A B - Flow freq ↑ P/c

Loop pour dist out of business
(Flow freq. now = diff. the water
grated?)

DK - more water based on one other factor

RB - May not have more water.

DK - took even tho Upstream gave up

AB - Could pretend it -
?? 2 20 year periods.

- Another way.
- Analysis -
- Consider rule

DK - ZS Flow / 225 \textcircled{I} = Bigger \textcircled{I} .

- Take to TF.
- Bring up @ TF.

RB - more in bill than I-S flow.

AB - Just ask to bill IS flow &

DK - may be as hard to get out
of TF.

AB $\&$?

BB Don't have w/ rule - note sure in
place by end of rule -
drop dead date 9/1 - 6/1?

water - get captured elsewhere way we're doing it.

AB- Don't look @ water table - which would be Z-S flow.

RB- Use lag on front end if going to consider @ back end.

AB- New. do yrs. + add lag effect to it

RB- Only if used lag is determining frequency now.

AB- Could do...

When the case is 1977 - look @ lag for wells near 20 yrs -

RB- To determine it.

AB- Stricter.

RB - Other alternative = leave out on both ends.

AB- ~~Pro~~ Prob of level off = Repub. (Lag tries to deal w/ in retrospect)

BB - Disagree. Not req'd when it grates.

RB - to do w/ grating. Honest comparison of frequency of avail.

AB -

Options:

1) Chg rule in this piece.

2) Do we want to ask legis.
to do nothing diff. than
consider (225 + 1225

A) TF for 1 yr. for new bill

B) Give 1 yr. off for Regs

C) Continue Subcom & hope
bill doesn't pass if no -
one.

DK - Need 195 + 197 Water st. -
- impact of legs.
- 20 yr. prev. as of today.

AB - No jrs below 65% now.
Comen re: future of great
SW st. Only way to
chg = chg law

BB Desie BU to take into
consideration.

BB - Adds water

AB - Basins will be F/A soon.

AB - Eng.

1997 existing record - no Council
day effect.

W.S.

Rb. made 50% CIR -

< diverted 30/60 >

(1)

The look @ day

only divert 40% of the

w/ day - would be expected

40% CIR - + look @ that.

RB - Was ↑ occurrence of F/A.

CS - Should be expected less water.

RB - Less civil than what you thought.

AB - Good point.

DK - Cycles (I)

WB - Weather cycle (I)

BB - Another problem - winter (I)

Dig well after it + get full supply -
supply -

Problem of process.

DK - E.g. - removed ref. to water supply
in US yr period. Look @
impacts to stream.

RB - Inter = what entitled to @
the in granted,

BB - Agree. Allow erosion
of frequency.

RB - Strike "123"

AB - NO.

What talking about - F/A -
SW + CW.

SW - entitled to divert @ 170
for irrig. pass + hold BU.
Q = @ what level of BU of
water do we say "if
can't divert - yours F/A!"

CJ - 6/5/85.

AB

Was confusion.
Can discuss, major
chgs in whole concept
What happens in next month

Weather is principal thing going on -
AB - How analyze?

Butch - 1 well does it -

DK - # days ^{is} based on weather.

AB - you're saying of inputs to stream
greater -

DK - Same concept - diff. method.

BB - dry period greater - or flow frequency less?
DK - well does it on inputs
if GW pumping ↑
DK - well triggers filter.
Q = does well ↓ freq. of occurrence.

CJ - How measure to length of tree?

DK - Use model.

BB - Analysis - not model.

RB - How inter differ?

DK - Doesn't get into weather.

BB - Two time periods are not looked at.

Butch - lag effects are (I) - need to build in.
Orig. = better method. Just DK's
implies stagnant.

CS - Committee to talk of I-S flow.

AB - Another option.

Langrén said was discussion
piece + probably end up in
TF.

TF could ask Committee to
hold it over (kill it).

Ash legis. to give TF 1 yr.

KB - Legis. will be 20 people no
longer here.

CS - ~~Change~~ Chase to work out + succeed.

KB - Had hoped...
What then?

CS - Concern re: strategy along -
not opposed totally.

Instead of I-S flow to squeeze
have water - Broader group
to squeeze water.

AB - if weather didn't change - method the
same. Other things - weather = variables.

CJ - weather a prob. 4 all of rule?

AB - Yes.

KN - start planning process - could build in
some things & take things into acct.
in generic ways.

RB - Dist's doing it.

KN - not all are.

AB - no. trials = waste of effort to do each.

RCall - COW to plan - model.

AB - if COW right - place - still had
to do plan on paper may not
have to add R+R's

CS - Who's left?

RCall - Elkhorn covered - water
what we're doing. Their margin = wider.

CS - ch sea tin - bill.

BB - if bill passes - just rec.

CS - To keep going - need to address
first legis. is out there.

BB - This is just Rule.

CS - need reprieve from ① FIA deny -
+ ② NKD work
③ I S flow ①.

AB - Suggest - Elkhorn - logs
getting close -

WTF next Wednesday.

Go to TF - in near time -

Butler + Russ talk to Elkhorn +

see what reprieve right to -

if helps - go to TF +

see if instead of 1225 +

1226 - log. reprieve.

BB - Why need reprieve?

Rule in Dec.

Were discussing 2 yr. suspension but
we're running further now ^{13th} window
was smaller.

CS - Sounds like less of a "gotta do it now (I)"

AB - F/A just "need to manage" w/ a stay.
Annual rept. is about budgeting.

CS - Agree. But John Turnbull says F/A =
wiped off of map.
Need more time.

RC - Were afraid we'd be declared F/A before
process set up.

CS - One yr. review if
basis continue + get group to
solve (I) before legis. takes over?
Tull pressure of F/A date off
for now.

RR Recommended 1226 and to (I) have
1 yr. stay on F/A +
(2) basis work
(3) Drug finalize I-5 flow?
To get fair hearing - need this.

Butt - (I) Don't fear desig. - just ellis

RC - Orig. Concept - by issuer SW
it - could be F/A.

BB This argue.
Orig. Concept is wrong + makes it
worse.

AB B/4 Break up - taking no:
whole rule.
But - in terms of what ONK
needs to do in next work -
Committee to look @ piece
of rule & address.

Can look @ other in future?

Want to move ahead of rule?

OK artificial

BB not ready.

AB Schedule mtg. to focus on
just this piece.

options.

(2) One yr. nice - may not be
long re: cert.

BB - Analysis Dept. did - have til
2025 - til P/A.

Butch - no - 4 to a yr or 2.

1.2 days

Elbowms were 4-5 days.

AB - Options limited?

Butch - want to be sure migrants
know what have + options in
future.

AB - Resting = interim.

Butch - not sure.

AB - way too worried re: stay stay -
a problem -

Butch - one plan in place - how
+ if you do stay is up to you.

Butch - Focus now = time out - 2 yr period
to get handle. Feel more flexible to DWR.

BB - Nov

AL - 25 yrs. long effort takes for rt +
wants til 25%⁰⁰

BB - RB sup

Freq. of occurrence @ the
grades would've had well
devel. @ that time.

When add 25% - further
notifies / reduces 65/85.

Assumes:

AB - When case in for rt. - understood

avail. of rt. for next 25 yrs

Should take into account

long from current wells

What price says - of low

no trib - 5 of rt. -

+ can always get it - but

then more well cost

your admin. 1 day -

close brain.

BB - Concept wrong - cut support (RB language).
1970 freq of occurrence was 65%
now 35%
not featured in

AB - Should be - not looking @ O-A - looking
@ F/A

BB - Looking @ wrong end of scale.

Butch - Jr. trips you into it anyway.

DK - Fairness (2) is reduced supply to '70 it -
but not addressed in F/A concept
Fairness (2) of triggers ignores other
fairness (2)'s.

RB - How could he lose - + not 83/65?

BB - Artificial #.

DK - not sure of realistic example.

BB - Dept. rule show - current.

AB - True in O-A area.

BB - I'll keep losing water til a Jr. it
gets to artificial level.

AB - R.R.

BB - Agree - Sr. upstream rights have not eroded
Jr. triggers.

CS - Rule allows to string things along a bit.

BB - says level. impacts - 93-08 - are OK

to occur b/c didn't trigger artificial
standard.

AB - 85/65 was artificial - based on
cost benefit analysis.
What you're saying = any
admin. = P/A.

BB - Void - haven't thought about
them. - Don't look @
1970 etc - just look @
artificial level for 0-5 yr.

BB - 1970 500 of. etc.
↳ 75% of time.
Administering it @ 100% - -
admin. @ higher level than
when it's granted.
Rts should have same frequency
of occurrence.

CS - Allow erosion.
Expect 75% -